

**Raleigh Appearance Commission – Outdoor Seating Design Review Committee**  
**Minutes of the Meeting**  
**Wednesday, February 17, 2016**

**Members Present:** Brian O’Haver, Brandy Thompson, Jamie Ferguson, Rolf Blizzard, Candice Andre, Lauren Dickens, Asa Fleming, and Jed Gant

**Staff Present:** Roberta Fox, Carter Pettibone, Dhanya Sandeep, and Martha Lobo

Brian O’Haver called the meeting to order at 3:05pm. He went over the agenda, purpose of the committee, and the 4 topics assigned to the group by City Council.

**Review and Approval of Minutes**

Members made comments on the draft minutes and asked Staff to make the appropriate revisions. Brandy Thompson moved to approve the minutes as amended and was seconded by Rolf Blizzard. The motion passed unanimously.

**Discussion**

Roberta Fox began a presentation to start the discussion period of the meeting. She described the scope of the committee’s assignment and went over the latest draft language for outdoor furnishings. She then introduced Dhanya Sandeep who continued with the presentation.

Jed Gant asked if the committee had discussed the details of review and approval process for applicants seeking alternate approval of furnishings. Brian O’Haver said they had not discussed this yet. Jed Gant said Council may ask what the process would be if the Commission recommends it, so the group may want to recommend a specific process.

Rolf Blizzard suggested these items be treated like administrative alternates. Discussion followed regarding the process for administrative alternates.

Dhanya Sandeep continued with the staff presentation, which included photos of existing outdoor furniture that would conform to the committee’s current language for recommendation of design guidelines for materials. A few outstanding questions needing clarification from the Committee were pointed out in the presentation that followed with Committee’s deliberation. The outstanding items noted were defining compatible furniture scale and size for enforcement staff and whether picnic tables should continue to be permitted.

Vince Whitehurst (attendee) asked if a picnic table would be okay. Brian O’Haver clarified that the pictures showed examples which would comply with recommended materials, not scale and compatibility.

Vince Whitehurst said he had concerns about the maintenance of outdoor furnishings. Discussion followed regarding materials and maintenance, especially in regards to picnic tables.

Brian O’Haver said that businesses seem to want to use communal tables, not necessarily picnic tables. He then asked the group if they thought picnic tables should be permitted.

Rolf Blizzard stated that he thought the language requiring furniture to be in scale would handle the size issue.

Committee members asked staff how staff reviews picnic tables. Roberta Fox said staff counts a picnic table as holding six people.

Discussion followed regarding appropriate scale of outdoor furniture and number of people permitted per table and per outdoor seating area.

Brian O'Haver said that the subjectivity of appropriate size and scale in review could be an issue and that the group may need to supplement the language for that. Discussion followed regarding how to define appropriate scale.

Brian O'Haver said that one topic of discussion held previously was to encourage 2 or 4 person tables in order to give businesses flexibility in table placement.

Attendees said they want to be able to have communal seating options, but the furniture would not need to be a one piece item or have seating attached to the tables. They would like the ability to use benches.

Brandy suggested that if the applicant did not want to use 2 to 4 person tables, he or she could use the alternate process for something else. Discussion followed regarding the use of 2/4 person tables versus communal seating options.

Vincent Whitehurst asked if the City would have to grandfather the existing picnic tables and tell businesses what the City wants for furniture moving forward. Discussion followed transitioning from allowing existing outdoor furniture to what would be permitted under new regulations.

Brian asked the group and audience if they were okay with allowing picnic tables in certain areas. Discussion followed regarding picnic tables and communal seating.

Asa Fleming asked what the architectural character of Fayetteville Street is. Discussion followed regarding character and scale of furnishings on Fayetteville Street and other streets.

Rolf Blizzard said he thought that staff would need a definition of scale. He also said that since these are public spaces and the business wants to use the public space for its use, then the business would need to conform to the rules.

Ben Yanessa (attendee) said he didn't think limiting seating options to 2-4 person tables was the right answer. He thought if picnic tables were not allowed on Fayetteville Street, business would be okay with it.

Brian O'Haver asked the group if communal seating would be okay, but picnic tables would not. Jed Gant asked what would happen with streets other than Fayetteville Street. Discussion followed regarding communal seating, picnic tables, and their use on different streets.

Martha Lobo stated that the City did not have a definition for picnic table in the code, so it would need to go with a standard dictionary entry, which defines the furniture as being one piece.

Jennifer Martin (attendee) asked if moving tables within the businesses' permitted area would be allowed. Brian O'Haver asked the committee if they would want to allow businesses the ability to move around furniture to accommodate different dining party sizes. Discussion followed regarding 2-4 person tables, communal seating, and the ability to move seating within the businesses' permitted area.

Paul Dombalis (attendee) addressed the committee and said that due to the new regulations his permitted outdoor seating went from 16 down to 4 people. He stated that his business was not a bar. He presented the committee with a letter from a neighboring property owner in support of returning the lost seating to Mr. Dombalis.

Brian O'Haver said that the reduction in seating for Mr. Dombalis was related to the width of his building and not being able to use neighboring building's frontage. Brandy Thompson said she wants to put back into the ordinance the ability to use neighboring building frontages with permission from the neighboring owner.

Brian O'Haver said the group should discuss the issue of scale for tables. Roberta Fox said that one approach to regulating scale would be ensure that adequate circulation space is provide around and in between tables. Jamie Ferguson suggested another would be to allow a certain percentage of the maximum area of outdoor seating to be taken up by furniture. Discussion followed regarding circulation space needed for tables and how it could be calculated, as well as appropriate scale and seating.

Vincent Whitehurst suggested allowing a maximum table size for administrative approval. He recommended measuring the largest piece of furniture currently allowed for width and height.

Brain O'Haver and Brandy Thompson demonstrated example layouts and table configurations on the large paper pad.

Rolf Blizzard asked if there were standard dimensions for a 4 person table. Brian O'Haver suggested setting a maximum dimension. Discussion followed a recommended maximum dimension for tables permitted administratively. The group decided on allowing a maximum of 42 inches for width, depth, and height.

Brian O'Haver said that any final issues, including whether furnishings could left out and/or stacked and signage, would be covered at the meeting next week on the 17<sup>th</sup>.

Jamie Ferguson moved to adjourn and was seconded by Rolf Blizzard. The motion passed unanimously. The meeting was adjourned at 5:10pm.